

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

In the Matter of the Search of)
(Briefly describe the property to be searched)
Or identify the person by name and address))
Microsoft Corp. account, checkmateshoes@outlook.com, which is)
stored at Microsoft Corporation, a company headquartered at 1)
Microsoft Way, Redmond, Washington 98052)

Case No.

18-72-M

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See Attachment A

located in the Eastern District of Pennsylvania, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
 - contraband, fruits of crime, or other items illegally possessed;
 - property designed for use, intended for use, or used in committing a crime;
 - a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 USC 875

Offense Description

The application is based on these facts:

See Affidavit

- Continued on the attached sheet.
 - Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

de Ser

Applicant's signature

Adam Sucheski, SA, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 1/19/18

Thomas J. Lane
Judge's signature

City and state: Philadelphia, PA

THOMAS J. RUETER, USMJ

18-72-M

AFFIDAVIT

I, Adam Sucheski, a Special Agent with the Federal Bureau of Investigation (FBI), Philadelphia Division, being duly sworn, depose and state as follows. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for warrants to search the email account that are stored at the premises controlled by Microsoft Corporation, a company headquartered at 1 Microsoft Way, Redmond, Washington 98052:

checkmatestoes@outlook.com

This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Microsoft Corporation to disclose to the government copies of the information (including the content of communications) further described Attachment B.

1. I have been employed as a Special Agent of the FBI for over 11 years, and am currently assigned to the Philadelphia Division's Fort Washington Resident Agency. While employed by the FBI, I have investigated federal criminal violations related to armed robberies, fugitives, art theft, drug trafficking, bank robberies, fugitives and threatening communications among other crimes. I have gained experience through training at the FBI Academy, prior law enforcement training, and everyday work related to conducting these types of investigations. I am aware that individuals engaged in criminal offenses use mobile phones, computers and email in furtherance of their illegal activity. I am also aware that such individuals often speak in vague, guarded, or coded language when discussing their illegal activities – especially over telephones and email – in an effort to prevent detection.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. The statements in this Affidavit are based on my investigation and other law enforcement officers' investigation of this matter. Since this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence of the violation of 18 U.S.C. § 875 are located within email account checkmatestoes@outlook.com, hereinafter "the SUBJECT ACCOUNT."

4. The purpose of this application is to seize evidence, more particularly described in Attachment B, of violations of 18 U.S.C. § 875 which makes it a crime to transmit in interstate or foreign commerce any communication containing any threat to injure the person of another.

5. In summary, the following facts establish that there is probable cause to believe an individual named Blair Strouse, using the Internet service at the 436 Madison Avenue, Warminster, Pennsylvania, did transmit in interstate or foreign commerce, communications containing any threat to injure the person or another, or attempted to do so, using various email accounts detailed below, via a computer or device, such as a cellular telephone.

6. The applied- for warrants would authorize the search and seizure of data contained within the SUBJECT ACCOUNT, including read, unread, sent and saved emails, and other data maintained by the provider, that is located at the SUBJECT ACCOUNT for the purpose of identifying electronically stored data particularly described in Attachment B.

LEGAL AUTHORITY

Under 18 U.S.C. § 2703(g), a law enforcement officer does not have to be present for

either the service or execution of the warrant. It is sufficient for us to serve it by fax or by mail upon Microsoft Corporation. I request that Microsoft Corporation be required to produce the electronic communications and other information identified in Attachments A and B hereto. Because Microsoft Corporation is not aware of the facts of this investigation, its employees are not in a position to search for relevant evidence. In addition, requiring Microsoft Corporation to perform the search would be a burden upon the company. If all Microsoft Corporation is asked to do is produce all the files associated with the account, an employee can do that easily. Requiring Microsoft Corporation to search the materials to determine what content is relevant would add to their burden.

7. I request that the Court authorize law enforcement agents to seize only those items identified in Attachment B from what is produced by Microsoft Corporation pursuant to the search warrant. In reviewing these files, I will treat them in the same way as if I were searching a file cabinet for certain documents. E-mails and chat logs will be scanned quickly to determine if they are relevant to my search. If they are, they will be read. If I determine that they are not relevant, I will put them aside without reading them in full. This method is similar to what a law enforcement officer would do in the search of a filing cabinet or a seized computer.

8. Under 18 U.S.C. § 2703(b)(1)(A), notice to the customer or subscriber is not required when the government obtains the contents of electronic communications using a search warrant.

9. Under 18 U.S.C. §§ 2711(3) and 3127, this Court has the authority to issue the warrant directing Microsoft Corporation to comply even though Microsoft Corporation is not located in this district, because the Court has jurisdiction over the offense being investigated.

10. I also ask that the warrant direct Microsoft Corporation to produce records and other information pertaining to this account. The government may obtain such records either by filing a motion under 18 U.S.C. § 2703(d), or by means of a search warrant under § 2703(c)(1)(A). Since I need a search warrant to obtain the electronic communications anyway, I am proceeding in the request for records by search warrant as well. The facts set forth below to show probable cause also constitute specific and articulable facts, showing that there are reasonable grounds to believe that the records and other information sought are relevant and material to an ongoing criminal investigation, as required by 18 U.S.C. § 2703(d).

11. This application seeks a warrant to search all responsive records and information under the control of Microsoft Corporation, a provider subject to the jurisdiction of this court, regardless of where Microsoft Corporation has chosen to store such information. The government intends to require the disclosure pursuant to the requested warrant of the contents of wire or electronic communications and any records or other information pertaining to the customers or subscribers if such communication, record, or other information is within Microsoft Corporation's possession, custody, or control, regardless of whether such communication, record, or other information is stored, held, or maintained outside the United States.¹

¹ It is possible that Google stores some portion of the information sought outside of the United States. In Microsoft Corp. v. United States, 2016 WL 3770056 (2d Cir. 2016), the Second Circuit held that the government cannot enforce a warrant under the Stored Communications Act to require a provider to disclose records in its custody and control that are stored outside the United States. As the Second Circuit decision is not binding on this court, I respectfully request that this warrant apply to all responsive information—including data stored outside the United States—pertaining to the identified account that is in the possession, custody, or control of Google. The government also seeks the disclosure of the physical location or locations where the information is stored. Assistant United States Attorney Michelle Rotella informs me that the *Microsoft* decision is inconsistent with Third Circuit law, which holds that if a court has jurisdiction over a person or entity, it can compel the production of records, regardless of where

BACKGROUND REGARDING COMPUTERS, THE INTERNET, AND E-MAIL

12. The term "computer" as used herein is defined in 18 U.S.C. § 1030(e)(1), and includes an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device.

13. The Internet is a worldwide network of computer systems operated by governmental entities, corporations, and universities. In order to access the Internet, an individual computer user must subscribe to an access provider, which operates a host computer system with direct access to the Internet. The World Wide Web ("www") is a functionality of the Internet which allows users of the Internet to share information.

the records are stored. *Hay Grp., Inc. v E.B.S. Acquisition Corp.*, 360 F.3d 404, 412-13 (3d Cir. 2004) (Alito, J.) (explaining that Rule 45 subpoenas can reach records beyond the territorial jurisdiction of the court when the records are controlled by someone who is subject to the court's jurisdiction):

"Paragraph (a)(2) makes clear that the person subject to the subpoena is required to produce materials in that person's control *whether or not the materials are located within the District or territory within which the subpoena can be served.*" Fed.R.Civ.Proc. 45, Committee Notes, 1991 Amendment Subdivision (a) (emphasis added); *see also* 9 JAMES WM. MOORE ET AL., MOORE'S FEDERAL PRACTICE para. 45.03 (3d ed. 2000) ("The subpoena should issue from the Court where the production of documents is to occur, regardless of where the documents are located."); 9A CHARLES ALAN WRIGHT AND ARTHUR R. MILLER, FEDERAL PRACTICE AND PROCEDURE § 2456 at 31 (1995 & 2003 Supp) ("Even records kept beyond the territorial jurisdiction of the district court issuing the subpoena may be covered if they are controlled by someone subject to the court's jurisdiction."). Con'td....

See also In re Auto Refinishing Paint Antitrust Litig., 229 F.R.D. 482, 484, 487-95 (E.D. Pa. 2005) (Padova, J.) (explaining that, even though all of the documents requested from a trade association headquartered in Belgium were also located in Belgium, the subpoena did not exceed the territorial limitations of Rule 45 because the association's leader was properly served with the subpoena while he was in the district.).

14. With a computer connected to the Internet, an individual computer user can make electronic contact with millions of computers around the world. This connection can be made by any number of means, including modem, local area network, wireless and numerous other methods.

15. Cellular phones and more advanced devices known as “smart phones” function the same as computers and can run computer software and applications, create and edit files, go on the Internet, chat, text, email, and interact with others on the Internet, and store, send, and receive files, among other functions. Cell phones and smart phones have been used by criminals to send, receive, store, and produce emails and, as well as engage in voice, email, text, and real time chat conversations with victims and co-conspirators. Cell phones and smart phones can contain SD cards and/or SIM cards that can store data such as pictures, videos, text messages, contact lists, call logs and other data.

16. E-mail is a popular form of transmitting messages and or files in an electronic environment between computer users. When an individual computer user sends e-mail, it is initiated at the user’s computer, transmitted to the subscriber’s mail server, and then transmitted to its final destination. A server is a computer that is attached to a dedicated network and serves many users. An e-mail server may allow users to post and read messages and to communicate via electronic means.

17. Internet-based e-mail is a service provided by an electronic communication service provider allowing individuals to send and receive e-mail from any Internet connected computer, regardless of their location or Internet service provider (ISP). Individuals utilizing Internet-based e-mail services access their accounts by “logging in” through the web-browser

software installed on their computer, often by providing an account name and an associated password. Once the service provider's computers have determined the password is correct for the given account name, the individual "logged-in" can access any e-mail sent to their account, and or send e-mail to any other e-mail address accessible via the Internet.

18. Internet-based e-mail service providers reserve and or maintain computer disk storage space on their computer system, usually limited and closely regulated, for the use of the service subscriber for the storage of e-mail communications with other parties, which include graphic files, programs, or other types of date stored in electronic form.

19. Internet-based e-mail service providers maintain records pertaining to the individuals who subscribe to their services. These records could include the account holder's name, address, date of birth, gender, occupation, and the Internet Protocol (IP) address used to establish the account and subsequent accesses to that account.

20. "Internet Protocol address" or "IP address" refers to a unique number used by a computer to access the Internet. IP addresses can be dynamic, meaning that the Internet Service Provider (ISP) assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be static, if an ISP assigns a user's computer a particular IP address which is used each time the computer accesses the Internet.

21. Any e-mail that is sent to an Internet-based e-mail subscriber is stored in the subscriber's "mail box" on the electronic communications service provider's servers until the subscriber deletes the e-mail or the subscriber's mailbox exceeds the storage limits preset by the provider. If the message is not deleted by the subscriber, the account is below the maximum limit, and the subscriber accesses the account periodically, that message can remain on the

provider's servers indefinitely. Electronic communications service providers can also perform backups of subscriber's email accounts as routine maintenance in case their servers become inoperable so the content in the subscriber's account is not lost.

22. When the subscriber sends an e-mail, it is initiated at the user's computer, transferred via the Internet to the provider's servers, and then transmitted to its end destination. Most Internet-based e-mail users have the option of saving a copy of a sent e-mail. Unless the sender of the e-mail specifically deletes the e-mail from the provider's server, the e-mail can remain on the system indefinitely. The sender can delete the stored e-mail message thereby eliminating it from the e-mail box maintained by the provider, but that message will remain in the recipient's e-mail box unless the recipient deletes it as well or unless the recipient's account is subject to account size limitations.

23. Internet-based e-mail provider's typically offer services to their subscribers that allow them to store any electronic file (i.e. image files, text files, etc.) on servers maintained and or owned by the provider.

24. E-mails and other electronic files stored on an electronic communications service provider's server by a subscriber may not necessarily be located in the subscriber's home computer. The subscriber may store e-mails and or other files on the provider's server for which there is insufficient storage space in the subscriber's computer and or which he/she does not wish to maintain in the computer in his/her residence. A search of the files in the computer in the subscriber's residence will not necessarily uncover the files that the subscriber has stored on the provider's server.

25. Gmail is an Internet-based electronic communications system operated by

Google. It permits its users to communicate using e-mail through their Gmail service, instant messages, text messages, and group messages through their Hangouts and Voice services, and other social networking type methods. Google also allows its users to use other features such as Google Drive and Google Photos. These are services that users can upload files, to include photos and videos, to be stored in the "cloud" on Google servers and be accessed anywhere from any device as long as they log into their associated Google account. Users can automatically backup their photos and videos from their devices, such as a cell or smart phone, tablet, or computer, into their Google Drive or Photos storage. Users can also set up permissions to only allow themselves to have access to these files or share these files with other specific people.

26. Email accounts operated by mail.com, outlook.com and yahoo.com are similar to Google in that they are Internet-based electronic communications operated by Mail.com (1 & 1 Media), Microsoft Corporation and Yahoo Holdings, Inc. respectively. These companies offer similar services to Google, including Internet-based e-mail.

27. As is the case with most digital technology, communications by way of computer or smart telephone can be saved or stored on the computer used for these purposes. Storing this information can be intentional, i.e., by saving an e-mail as a file on the computer or saving the location of one's favorite websites in, for example, "bookmarked" files. Digital information can also be retained unintentionally, e.g., traces of the path of an electronic communication may be automatically stored in many places (e.g., temporary files or ISP client software, among others). In addition to electronic communications, a computer user's Internet activities generally leave traces or "footprints" in the web cache and history files of the browser used. A forensic examiner often can recover evidence suggesting whether a computer contains email software or

Internet based email, drafts of email messages and documents, malware, when the computer was sharing files, and some of the files which were uploaded or downloaded. Such information is often maintained indefinitely until overwritten by other data.

BACKGROUND OF THE INVESTIGATION

28. In August 2017, I began investigating BLAIR STROUSE (DOB 10/26/88; residing in Warminster, PA) for alleged crimes. At the time, his estranged wife, Maria da Gama (hereinafter Da Gama), contacted the FBI to report that STROUSE was using email and Facebook to threaten to kill or seriously injure her family members.

29. STROUSE is a United States citizen. He is employed as a salesperson for Nicomatic, an electronic component company located in Warminster, Pennsylvania. Maria da Gama is a Brazilian citizen who resides in the United States on a J1 Visa, which expired in April 2017. Da Gama and STROUSE were married on September 11, 2016 in Doylestown, Pennsylvania, and do not have any children together.

30. Da Gama relayed to the FBI that numerous emails from various unknown senders were sent to her family, friends and associates and contained threatening and harassing messages about her sister, Artenia Da Gama, and her mother, Leonice Da Gama. Da Gama believes these emails are actually about and directed to Da Gama.

31. On September 12, and October 12, 2017, Da Gama allowed the FBI to access her email account and download emails sent to her account. This allowed me to review the emails as received by Da Gama and ensure that they were not edited prior to being sent to the FBI.

32. Da Gama informed local police on multiple occasions about STROUSE's threats

made on social medial towards her and her family. In February 2017, Da Gama obtained a temporary Protection from Abuse (PFA) Order against STROUSE in the Court of Common Pleas, Bucks County, Pennsylvania. This Order was extended through November 2017. According to Da Gama, STROUSE continued to threaten her and her family through Facebook and email using various aliases. Da Gama stated that she believes the various unknown email names are all actually created and operated by STROUSE in order to harass her family.

33. Da Gama provided the FBI with copies of the emails, purportedly written in Portuguese,² by STROUSE that had been sent to her family members, friends and associates in Brazil. The emails were translated from Portuguese to English by Da Gama. I have also conducted translation of the emails via the Google Translate feature (www.translate.google.com) which appear to validate the translations from Portuguese to English provided by the complainant. In addition, the emails have been sent to FBI Headquarters for official translations which are noted below. Unless noted in the affidavit, the emails, if written in Portuguese, were translated to English by a FBI Portuguese speaking linguist.

34. Da Gama continues to fear for her safety and that of her family.

35. Da Gama advised me that several of the emails appear to be designed to look like legitimate email addresses of Da Gama's friends, family and associates. According to Da Gama, several of the email addresses appear to be fictitious and are variations of the actual email addresses used by Da Gama's friends, family, and associates. Several of these purportedly fictitious email addresses and display names are:

²STROUSE does not speak or write Portuguese. I believe he used Google Translate in order to craft these email communications.

- mgama5709@gmail.com (Mikaela Gama);
- maylane.brito@mail.com (Maylane Santos);
- alinearajuo@gmail.com (Aline Arajuo);
- rnader5002@yahoo.com (Ralph Nader);
- rnader4589@gmail.com (Leonice Almeida); and
- cintia.m.araujo@mail.com (Cintia Arajuo).

36. Da Gama indicated that these are not the known addresses of these individuals.

The actual email addresses are: cintia.m.araujo@gmail.com, maylane.brito@gmail.com and may_15_lane@hotmail.com. These fictitious email addresses appear as the sender in numerous messages sent to her sister, as well as other associates of Da Gama and her family. When her sister received a threatening email, she forwarded it to Da Gama, who provided it to the FBI.

37. On July 27, 2017, jtorres54011@gmail.com (display name “jtorres54011”) sent an email, written in Portuguese, to associates of Da Gama’s sister in Brazil. The email stated:

Hi, I’m now offering US \$5,000 to anyone who sticks it to Artenia Da Gama. It should be a serious injury. Brain damage, disfigurement, facial scars, permanent disabilities are acceptable. Payment will be made in US \$2,500 immediately after, and monthly payments of US \$500 afterwards. See attached for current photo. I’m going to concentrate the offer on other students in the coming days.

Attached to the email was a photograph of Da Gama’s sister.

38. On July 30, 2017, Cintia Araujo, a friend of Da Gama’s sister, received an email written in Portuguese, from address bsagget5089@mail.com (display name “Jeffery Atkns”) The email was sent to numerous associates of Da Gama’s sister in Brazil. The email stated:

This is a friendly reminder that anyone who gives brain damage, permanent disabilities,

facial scars, or a mutation to Artenia Almedia da Gama from Juazeiro³ **Or her mother Leonice Carlos Almeida da Gama from Sento Se.**⁴ They'll be paid \$5,000. Current exchange rates are applicable. Images of each one are attached. (emphasis original).

Attached to the email was a photograph of Da Gama's mother and sister.

39. On August 7, 2017, Cintia Araujo, a friend of Da Gama's sister, received an email written in Portuguese, from address mgama5709@gmail.com (display name "Mikaela Gama") which she forwarded to Da Gama's sister. Da Gama advised that this is not the known email address of her other sister named Mikaela. This email was obtained by the FBI when it was downloaded as noted in paragraph 27. The email was addressed to three friends of Da Gama's sister and stated:

Please. I am just asking you to talk. I'm going to do that. Obviously, I don't expect that her teachers will hurt Artenia. But I am and we will find the right people. I'm going to find criminals. I'm going to find them. When I do it, Artenia's going to get hurt. If we simply talk, we can avoid that. I just want to talk, and I promise that everything will stop. But I can't trust in everything they did so I will continue talking with.

40. On August 9, 2017, several friends and associates of Da Gama's received an email, written in Portuguese, from address jtorres54011@gmail.com (display name "jtorres54011"). The email was addressed to approximately 27 students and employees of the University in Brazil where Da Gama's sister is a student. The email stated:

All the evidence from these past weeks has been shown to a judge today. And the judge decided what I'm doing is perfectly legal! Praised be God!! I'm going to continue to give you updates. But I will have to find a real criminal to give Artenia brain damage.

41. On August 11, 2017, a friend of Da Gama's sister received an email written in Portuguese from bsaget5089@mail.com (display name "Jeffery Atkns"), subject line

³ Range of Juazeiro is an area of Brazil where Da Gama's sister resides.

⁴ Sento Se is the area of Brazil where Da Gama's mother resides.

“Business opportunity,” which stated:

May peace be with you: I’m getting in touch with you with a business opportunity. I need for a woman to be attacked. Her name is Leonice Carlos Almeida da Gama. Leonice’s photo is attached. I’m paying \$5,000. The payment is in U.S. dollars. Send an email for more information or questions. Everyone is blind-copied. No one knows who received the email or who is answering. Your cousin, your friend, or aunt can do this. She’s old and easy to attack. \$5,000 U.S. money is a lot. The offer remains open. I’m very serious about this. I would give everything that I have so Leonice can get injured. Everyone in Sentose is familiar with this offer. No one is going to suspect you. She has thousands of people that wanted to hurt her. Do it soon. I will be very happy.

Attached to the email was a photograph of Da Gama’s mother.

42. On August 11, 2017, numerous associates and friends of Da Gama’s received an email written in Portuguese from jtorres5409@mail.com (display name “Jesse Torres”). The email was addressed to approximately 20 students and employees of the University in Brazil.

The email stated:

This weekend, I’m going to concentrate on finding someone to kill Leonice Almeida da Gama. It will be easier to find someone to kill her. It’s easier to escape after killing her. She’s going to die. This will be Artenia’s fault. Artenia will be destroyed. Her tears make me so happy. If she opts to speak with me, (...) to stop that. Until then, Leonice’s death. 5000 to attack Leonice.

43. On August 15, 2017, an email from alinearajuo@gmail.com (display name “Aline Arajuo”) was sent to Da Gama’s sister. This email was written in English. It stated:

I have spent 4 hours trying to finalize the deal to have your mother attacked. Please help stop this. I am taking a break tonight because I am tired. But you KNOW I will not stop. Please talk to me. Before someone gets hurt.

44. On August 16, 2017, an email from makavelitobe@yahoo.com (display name “makavelitobe”) was sent to Da Gama’s sister. It was written in English and stated:

I just do not want you to live in Bucks county. If you are living here it is very stupid. My cousin [is] . . . the mayor of Doylestown. I grew up in this area and never left for 28 years. You will not be able to hide here. Please move away. Move far away. I will never let you live here. You will not survive. You will destroy the lives of the nice people who

accepted you in. Because you did not talk to me. You will destroy their lives. I will kill you Artenia. I will fucking find you, I will find your children and I will kill them before I kill you. Do you understand. You cannot live here. I have already called immigration on you and your mother. I told them about your threats and the bomb that you planned on using. As soon as you step on US ground you will be arrested. You will be sent to jail directly from the airport when you enter. I will fucking kill you Artenia. I will find someone to attack your mother and give her brain damage. You will feed her, because she will not be able to feed herself. Lets continue our relationship because you do not want a divorce. You do not want to talk. Let us keep doing this because I love it. Lets be honest. It makes me happy to try to kill you. Last week I thought I could Artenia. I was ready. But you did not take the train. But I will. I will have my people in Juazeiro find you. Next time I will see you first. I will find you. Please do not try to live with me. Not here in Bucks county. Get far away. Maybe you should go to Brazil. . . . wait you hate your family. You would not want to stay in Brazil.

At the bottom of the email, the following was noted: "Happy Connecting. Sent from my Sprint Samsung Galaxy S5." I note that the last line indicates that the email was sent from a Samsung Galaxy S5 telephone, with service by Sprint. I also note that STROUSE resides in Warminster, Pennsylvania, which is located within Bucks County, Pennsylvania.

45. On August 16, 2017, Da Gama's sister received an email, written in English, from bstrou@gmail.com (display name "BLAIR STROUSE"), which stated:

I will not stop acting the way I do. You have motivated me so much more. I will be more focused to find someone to attack Mika⁵ and your mother. I will focus more on this. You have given me the motivation. Only you can stop it. By talking. Sorry. I wish we could of talked about this. Kkkkkkkk =).

Da Gama advised that bstrou@gmail.com is an email address that STROUSE used when they were dating.

46. On August 17, 2017, Da Gama's sister received an email, written in English, from bstrou@gmail.com (display name "BLAIR STROUSE"), which stated:

I will kill you someday Artenia. That day gets close and closer. You can not hide

⁵ Mika is believed to be the abbreviated name for Mikaela, another of Da Gama's sisters.

forever. Likely it will be when you are older and have children. I will kill them. You can not hide forever. You will make a mistake. And I will find you. Promise.

47. On September 7, 2017, Da Gama's sister received an email, written in English, from checkmatestshoes@outlook.com (display name "BLAIR STROUSE"), which stated:

While we are waiting we can play a game. Either you can write back "Oi" or....I will continue to slander you mother. Only to people in Sento-se. Only to teachers and students in Sento-se. Especially the youth though. And blogs. Okay? If my people find her before, the deal is off. =) I will give you a week or so. Then suddenly your mother will call you with bad news. I guess you know and it doesn't matter. So, I hope you say "Oi" more often.

48. On September 8, 2017, Da Gama's sister received an email, written in English, from checkmatestshoes@outlook.com (display name "BLAIR STROUSE"), which stated:

Hey Tena, I should not make assumptions about you or your family. It is possible your mother will not call you. She will not tell you how upset she feels or this makes her feel. Love ya!! Beijos!!

At the bottom of the email, the following was noted: "Happy Connecting. Sent from my Sprint Samsung Galaxy S5."

49. On August 22, 2017 and August 28, 2017, an undercover FBI employee (hereinafter "UC") using the name "Mr. Pink" sent emails, in English, to bsaget5089@mail.com and jtorres54011@gmail.com in response to an email requesting someone to injure Artenia Almeida Da Gama or Leonice Almeida Da Gama. In response to the email noted in paragraph 33, the UC stated "I am interested if this is not a joke." On September 9, 2017, jtorres54011@gmail.com responded in Portuguese. The UC utilized Google Translate and determined that jtorres54011@gmail.com asked the UC where he was and if he knew Artenia. On September 12, 2017, jtorres54011@gmail.com replied and asked "where in the US are you?" Between September 12, 2017 and October 3, 2017, the conversation continued as follows, with

jtorres54011@gmail.com (JT) and "Mr. Pink, the UC - spelling errors noted are intentional:

UC Southwest
JT What do you want?
UC You offered 5k but its expensive to get to brazil. will negotiate
JT I have people in Brazil too. It is like piranhas. I have no deal with an one in this country. Do your friends need help?
UC I'm confused is your job offer in the US or Brazil?
JT I am sorry if you can not understand what was said in the email. If you need help, let me know and I will assist.
UC you offered 5k to attack artenia da gama, is that not the job?
JT I am sorry if you can not understand. I hope you can understand correctly though. If your friend need help, please contact me, I hope your first!!! =)
UC what the fuck are you talking about what friend? I responded to your offe.r if u make up your mind and want a job done let me know
JT I am just hoping my wife does not get deported. The part in Brazil is taken care of dude. I just have to wait for the right time. Have a good day.
UC now that all of your bullshit is out of the way, let me know when you want to talk abouth the real job. we can talk in a more secure setting, let me know.
UC I do not need you. Thank you. If your friends in Brazil need information, I can give them locations, pictures, schools and associates.
MP You are fucking unclear. Why do my friends need locations and pictures? do you want me to do the job or not?
JT Please see below (JT highlighted "I do not need you. Thank you")
UC I can do that too, see below in green. you need to be clear in this business. if you change your mind and need a professional, let me know. (MP highlighted "if your friends in Brazil need information, I can give them locations, pictures, schools and associates")

50. On September 11, 2017, I received an email sent to my official FBI email account from: Joao Jose de Simoni Gouveia, which indicated that he is Professor of Animal Breeding and Genetics in a Brazilian Federal University (Federal University of Vale do São Francisco – UNIVASF). The email further advised that he and his family, as well as other staff and students from Federal University of Vale do São Francisco, located in Petrolina, Pernambuco, Brazil are receiving death threats from multiple email addresses, to include jtorres5408@mail.com; jtorres5409@mail.com; cintia.m.araujo@mail.com; jtorres54011@mail.com; maylane.brito@mail.com; alinearajuo@gmail.com; mgama5809@gmail.com;

rnader4589@gmail.com. The professor has reported the threats to the Brazilian Federal Police who are conducting an investigation into the threats. The professor provided a contact name and telephone number for the investigator with the Brazilian Federal Police who was investigating the threats in Brazil. This investigation has been confirmed through the FBI's Legal Attaché in Brasilia. The professor opined that the threats are from BLAIR STROUSE, who was married to an undergraduate student of the university. I noted that his email address, joao.gouveia@univasf.edu.br, was included on the cc: line on several emails sent to associates and friends of Artenia Da Gama in Brazil described above.

51. The professor forwarded an email, written in Portuguese to multiple staff members at the UNIVASF from maylane.brito@mail.com display name "Maylane Santos," which stated (in part):

Gisele and Jao. Congratulations!! On the wedding, On the child. You two, I'm going to have to take a special interest in. I would [feel] so marvelous if your son died. I hope it happens when you [plural form] are out, then you'll [singular form] always blame yourself for the death of the child. That would be so funny. Your friends and family members would have a lot to talk about if your son died. I'm going to keep this short, I'll talk about you two a lot more. A lot more!!! Congratulations gain, from me and from Artenia!!!

52. On September 12, 2017, Da Gama's sister, along with numerous other individuals, received an email written in Portuguese from passosmaria362@gmail.com (display name "Maria Passos"), which stated:

Artenia Almeida da Gama likes to be abused during sex. She likes to be hit. She likes to be humiliated. She is very obedient and will do anything she wants. She is not afraid of getting dirty. Imagine.

53. On September 13, 2017, Da Gama's sister solely received an email from jtorres5408@mail.com, (display name Jessica Torres), which stated, in English:

I will find you. I am going to murder you. This will not stop until I do. See you soon.

54. On October 31, 2017, Da Gama's sister received an email, written in English, from checkmatestoes@outlook.com (display name "BLAIR STROUSE"), which stated:

I just want you to know that I am going to kill myself. I will kill myself. I wish We could have talked about things. I am sorry I disappointed you. I never ment [sic] To disappoint you. I am sorry I failed you. It will be over soon.

55. Between October 31, 2017 and November 1, 2017, Da Gama's sister received three emails from bsaget5489@mail.com and jtorres54011@gmail.com in which the sender asked Da Gama's sister for a divorce. Your affiant believes that STROUSE is avoiding the prohibitions in the court protection order by communicating with Da Gama's sister.

56. On September 20, 2017, the FBI's Legal Attaché interviewed Leonice Da Gama, the mother of Da Gama. Leonice Da Gama relayed that she has been receiving threatening emails from unknown senders. Leonice Da Gama believes that the senders are all from BLAIR STROUSE, who is using fictitious email addresses. Leonice Da Gama noted that there are errors in the grammar and syntax of the Portuguese, leading her to believe that the sender does not speak Portuguese. Leonice Da Gama provided copies of threats she has received to the Legal Attaché. These threats were from "Jesse Torres" jtorres5409@mail.com, "Maria Passos" passosmaria362@gmail.com, and "Jeffry Atkins" bsaget5089@mail.com. The messages seek someone to kill or rape Leonice Da Gama or her daughter, Artenia Da Gama. All of the email threats have been sent to other people or Leonice Da Gama. Leonice Da Gama received them from the fictitious senders, as well as people copied on the messages who forward them to her. Leonice Da Gama noted that, at one point, a local city councilman received an email purported to be from her. The sender "photoshopped" Leonice Da Gama's face onto nude photos and

attached them to the email.

57. Leonice Da Gama fears for her safety and the safety of her family. Leonice Da Gama believes that STROUSE is threatening her and her family solely to get at her daughter, Maria Da Gama.

58. Also on September 20, 2017, Artenia Da Gama was interviewed by the FBI's Legal Attaché. Artenia Da Gama confirmed that she is receiving numerous threatening email messages from an unknown person or persons. Artenia Da Gama suspects that the sender is BLAIR STROUSE. Artenia Da Gama noted that the threats began after her sister, Maria Da Gama, ended the relationship with STROUSE. Artenia Da Gama noted that in the messages, the sender calls her "Tena" which is the name her sister uses. A non-family member would be unlikely to know this nickname. Additionally, the messages appear to have grammatical and syntax errors, as if the messages have been run through translation software. Artenia Da Gama noted that she, her family, friends and associates received numerous messages almost daily and that she was not the author of the emails. Artenia Da Gama did not respond to the messages, but forwarded them to her sister. Artenia Da Gama is fearful for her safety and the psychological well-being of her family.

59. Artenia Da Gama is aware that other students at her university, as well as former students, and professors have been receiving email messages detailed above. Artenia Da Gama believes that some of the addresses of fellow students are not on a restricted website and available to anyone online. Artenia Da Gama is unsure how the addresses have been obtained.

60. Artenia Da Gama believes that STROUSE is targeting her to circumvent a protective order in the United States. The family was initially included in an order prohibiting

contact by STROUSE, but when it expired, the threats toward Artenia and her family started.

61. The FBI's Legal Attaché also reviewed and provided a summary of a previous interview conducted by the Brazilian Federal Police of Gisele Gouveia, the wife of Joao Gouveia, noted in paragraphs above. Gisele Gouveia reported that she was a professor at the University in Petrolina (UNIVASF). Beginning in and around July 2017, she began to receive threatening emails from jtorres5408@mail.com, jtorres5409@mail.com, cintia.m.arajuo@mail.com, jtorres54011@mail.com and maylane.brito@mail.com among others. The emails were also sent to numerous staff and students at the UNIVASF threatening violence against the school and Gisele Gouveia. Gisele Gouveia believes that the threats are related to a student at the university, Artenia Da Gama, as she is referenced in the body of the messages. Gisele Gouveia advised that she is worried about the situation, and fears someone actually coming to the university to do something to her or the staff and students.

62. On October 2, 2017, 1 and 1 Mail and Media responded to a subpoena for records related to email addresses bsaget5089@mail.com, jtorres5408@mail.com and jtorres5409@mail.com. Between July 1, 2017 and September 22, 2017 all three addresses have been accessed through the same IP address, 100.34.73.145. This IP address is registered to MCI Communication Services dba Verizon. Additionally, the accounts show access through Sprint Communications, the cellular telephone provider. I noted that in paragraphs 44 and 48, the last line of the email appears to indicate it was sent from a Samsung device on the Sprint network.

63. On October 10, 2017, Verizon responded to a subpoena for records related to IP address 100.34.73.145. The response indicated that the subscriber is Victor Rosado, 436 Madison Avenue, Warminster, Pennsylvania 18974, the residence of Blair Strouse. Da Gama

informed me that the owner of the house she and STROUSE resided in, 436 Madison Avenue, Warminster, Pennsylvania 18974, is owned by Victor M. Rosado and Maria B. Castano.

64. On October 12, 2017, Yahoo Holdings, Inc. responded to a subpoena for records related to makavelitobe@yahoo.com which indicated the account name is held by BLAIR STROUSE STROUSE, and was established in 2004. The most recent login is from IP address 100.34.73.145 on April 15, 2017. It is noted that this is the same IP address in paragraph 62. Verizon responded to a subpoena for records and confirmed that the subscriber of 100.34.73.145 on April 15, 2017 was Victor M. Rosado, 436 Madison Avenue, Warminster, Pennsylvania.

65. On October 18, 2017, I checked the Pennsylvania Department of Motor Vehicles (PennDot) records for STROUSE. The address of record for STROUSE is 436 Madison Avenue, Warminster, Pennsylvania.

66. On October 11, 2017, the UC sent an email in English to bsaget5489@mail.com in response to an October 8, 2017 email requesting someone to injure Artenia Almeida Da Gama or Leonice Almeida Da Gama for \$10,000. The email had been forwarded to Da Gama from her sister. In response to the email, the UC wrote, "I assume this is actually Mr. torres given the same message i saw before. clearly you dont have someone to do your job if you are offering more. let me know if you want it done, i now have an easy way to cross the border." On October 14, 2017, bsaget5489@mail.com responded in English; "Why not try being honest about who you are. Maybe then we could help each other. But you are nevr going to get this. I will never choose you. you are not the one. You have 0 percent chance. You are so desperate. Why? KKKKKKKKKKK"

67. Between October 11, 2017 and October 20, 2017, the conversation continued

between the UC and bsaget5489@mail.com (BS), as follows:

UC: whatever you say man, i'm not the desperate one sending emails asking for a job to be done, then pussying out when someone actually responds.

BS: It is just weird you can not tell me who you are. Your time stamps were not for the place you said you are. The email was sent to Artenia, but you erased her email and all the other emails. And this email was not sent to Artenia.

I wish we could talk honestly talk about who we are and what we want. The man only wants a divorce. But because she refused I will not stop this. If you tell me who you are we would get this resolved. But I guess not.

I will continue this until he has a divorce. She must file the divorce. She knows this. And yet you are doing this so she can stayed married to a man she has not been with for over a year. She does not want a divorce.⁶

UC: anonymity is the name of the game, in my business you dont need to know who, just how much. its good to see you checking me, shows your careful, I take precautions. but why would I give you my name, you could be a cop looking to set me up emails came from a friend down at univsaf who said some guy is offering money to hurt some girl, you dont need to see who forwarded it to me, its not important if you want to have the job done. i don't know about a divorce, i don't care i just want money you offered alot for an easy job. if the offers not legit, stop responding to me, if u want to actually talk about it, just get to the point and stop jerking me around.

BS: Okay⁷

BS: I guess she didn't tell you I only wanted a divorce. And you are being her lil bitch. Believing everything she says. Lololol. I just wantba divorce. She knows this. I am sorry she used you. Lololol

UC: don't know what youre talking about and dont care.

⁶ I reviewed the email and located an IP address associated with this message sent by BS; 100.34.73.145 Tue 17 Oct 2017 13:55:25 +0200 (Verizon).

⁷ I reviewed the email and located an IP address associated with this message sent by BS; 66.87.80.160 Tue, 17 Oct 2017 14:56:25 +200 (Sprint).

BS: kkkkkkkkkkkkk or in English lolololololol. But you are good at english version. Lolol Tell me, why does your email say Para: Artenia? Because someone that is friends with Artenia sent it to her and she sent it to you. Sorry she used for this. She means well. Sorry you can not help get a divorce. Sorry you want to throw someone in jail. But you used all this time to prevent an illegal immigrant to avoid detection. Avoid the law. I do not know if you are a cop or a friend of hers. He just wants a divorce. If she was scared, do you think she would give him the divorce? LOLOL she does not care about her family. If she loved them she would of given the man a divorce. How much time did you spend on this? If you know her, and you know the solution, ask yourself why she would not get a divorce, ask yourself why she has you doing this? Why does she have everyone worried?⁸

UC: wow, looks like you think youve got it all figured out. still dont care.

BS: He is paying me to do this. Until she files for divorce he was told not to stop. When the divorce is handled she will be a citizen and then this is done. She was the one who asked him to do this. It is not illegal, just a loophole so gain her citizenship. Sorry if you thought it was real. LOLOL I hope you are a serious hitman and believed this. LOL. That be cool. But it looks like Artenia sent this to you and you tried to hide that. Sorry. Maria will be ready to stop when she is a citizen, she does not want to hurt anyone. Maybe talk to her.⁹

UC: I am a serious hitman so lolol, its sad when amateurs try to act like professionals. how much is he paying you, probably not much.

68. On October 20, 2017, the UC received an email from bsaget5489@mail.com

which stated “Sorry you did nothing, Mr. Serious. LOLOLOLOL. I will block you now.” The UC responded “Thanks for that.” Since that time to the present, there has been no additional contact by bsaget5489@mail.com.

69. On November 15, 2017, Da Gama and STROUSE attended a hearing in Bucks County Court for a Protection from Abuse (PFA) review. At the conclusion of the hearing, the

⁸ I reviewed the email and located an IP address associated with this message, that being 100.34.73.145 Wed, 18 Oct 2017 14:44:06 +0200 (Verizon).

⁹ I reviewed this email and located an IP address associated with this message, that being 100.34.73.145 Thu, 19 October 2017 00:28:27 +0200 (Verizon).

judge found in favor of Da Gama and extended the PFA to November 15, 2020 and ordered Da Gama's family members back on the PFA as protected parties. Da Gama and her family have not reported any additional threatening emails or messages.

70. Through my law enforcement experience, I have received training in online investigations and how to obtain and read IP addresses on emails. A user can open and review the header information on an email. The header information is a record of how an email was sent and what route it traveled. Typically included in the header information is the IP address the email is received from before it begins to travel toward its intended recipient. In the email conversation noted above, I opened each relevant email and located the extended header information for the message. In the extended header information were IP addresses from the sender of the email.

71. I observed that the IP addresses from the messages sent by bsaget5489@mail.com indicate they were from 100.34.73.145, which is serviced by Verizon, and 66.87.80.160, which is serviced by Sprint. I note that 100.34.73.145 was previously determined to be assigned to the known residence of STROUSE. In response to a subpoena, Sprint advised that it does not keep subscriber records for this type of IP address.

72. Through my experience in law enforcement, I am aware that individuals often carry their cellular telephones on their person. Additionally, Da Gama has advised that, when she resided with BLAIR STROUSE, he possessed a cellular telephone and he regularly had the cellular telephone near him or on him. Da Gama further advised that, in or around February 2017, STROUSE purchased a laptop computer. Around that time, he took a photograph of the laptop computer and sent it to Da Gama's family and advised that he will use the laptop for

communicating with them. I am seeking authority to search the SUBJECT ACCOUNT for the purpose of seizing email communications, and to search any of those for the items as set forth in Attachment B.

73. Based on my review of the emails received by Da Gama and her associates, and the undercover employee, it appears that the sender of the emails is utilizing both a home address wireless or wired network, and a Sprint cellular telephone to access the various Internet email providers, including Microsoft, Yahoo!, Gmail, and Mail.com. Available records do not allow me to determine if the messages are sent from a desktop computer, cellular telephone, tablet or laptop computer, or other device.

74. On December 15, 2017, a search warrant, issued by the Honorable Lynne A. Sitarski, United States Magistrate Judge, was executed at 436 Madison Avenue, Warminster, Pennsylvania and on the person of Blair Strouse. During the searches, various electronic items were seized. The items included a Samsung Galaxy S5 cellular telephone, two laptop computers, a GPS tracking device and a Samsung Galaxy II cellular telephone. These items were submitted to the FBI's Regional Computer Forensics Lab (RCFL) for analysis, which is currently ongoing. As the SUBJECT ACCOUNT are Internet-based email accounts, the actual content of the email messages (sent, draft, and received) may not be stored on the electronic devices which were seized. Your Affiant, through his experience, is aware that Internet-based email providers can provide greater details of user accounts pursuant to a search warrant. In addition, your Affiant has issued preservation requests pursuant to 18 U.S.C. § 2703(f) to Microsoft Corporation to preserve data in the SUBJECT ACCOUNT as well as others noted above, to prevent its

destruction or tampering by STROUSE. Additional legal process, such as the search warrant applied for here, is needed to obtain the preserved data.

75. Also, on this date of December 15, 2017, Blair STROUSE was interviewed at his place of employment, Nicomatic, located at 165 Veterans Circle, Warminster, Pennsylvania. During the interview, STROUSE stated that he was the only person with access to his computers and cellular telephone. STROUSE was found to have a Samsung S5 telephone on his person, and a Lenovo laptop at his residence. STROUSE stated that he has used email accounts bstrou@gmail.com and checkmatestshoes@outlook.com for general communication and selling and buying items on the eBay platform.

76. STROUSE admitted that he created approximately ten email accounts from the Lenovo laptop to communicate with Da Gama's family and that he does not speak Portuguese. STROUSE claimed not to recall the details of the accounts he created, but admitted to sending messages to various members of Da Gama's family, as well as professors and government entities in Brazil. STROUSE stated that he sent messages to these individuals in an attempt to obtain a divorce from Da Gama. STROUSE stated that any messages that were sent were jokes between him and the individuals he sent the messages to. STROUSE claimed that, at a hearing, a judge in Bucks County, Pennsylvania agreed that he was not harassing Da Gama's family or associates. STROUSE believes Da Gama married him due to her immigration status, but moved out and refused to talk to him, which caused him to create the accounts to try and communicate with her.

77. STROUSE repeatedly stated "it was a joke" and "I think it's funny" when asked about several of the specific threatening messages noted above. STROUSE stated that he did not

discuss hiring someone to harm Da Gama's family with the exception "of the one guy." [Your Affiant notes that this "one guy" is believed to be the FBI UC]. STROUSE claimed to believe that the recipients of the emails thought they were funny, as no one asked him to stop sending the messages. If someone had asked him to stop, STROUSE stated that he would have stopped.

78. STROUSE claimed that he did not send the messages with Leonice Da Gama's face Photoshopped onto a nude body, although he attempted to do it and was not successful. STROUSE believed that Da Gama or her family sent these and possibly other messages. STROUSE was asked about an email which was sent to Joao Gouveia, in which there was a threat to kill a dog. STROUSE replied that the email "gave them [the recipients] something to talk about" and was funny to him.

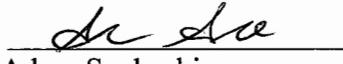
CONCLUSION

79. Based on the aforementioned factual information, I respectfully submit that there is probable cause to believe that BLAIR STROUSE has used the Internet, and multiple email accounts to knowingly transmit in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, or attempted to do so, and respectfully submits that there is probable cause to believe this individual has violated Title 18, United States Code, Section 875.

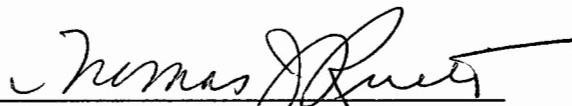
80. Additionally, there is probable cause to believe that evidence of the commission of criminal offenses, namely, violations of Title 18, United States Code, Section 875, is associated with the SUBJECT ACCOUNT and this evidence, listed in Attachments A and B to this affidavit, which is incorporated herein by reference, is contraband, the fruits of crime, or

things otherwise criminally possessed, or property which is or has been used as the means of committing the foregoing offenses.

81. I therefore respectfully request that the attached warrant be issued authorizing the search and seizure of the items listed in Attachments A and B.


Adam Sucheski
Special Agent
Federal Bureau of Investigation

Sworn and subscribed
before me this 19 day
of January, 2018.


HONORABLE THOMAS J. RUETER
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Location to be searched

Outlook.com account associated with checkmateshoes@outlook.com which is stored at premises owned, maintained, controlled, or operated by Microsoft Corporation, a company headquartered at 1 Microsoft Way, Redmond, Washington 98052.

ATTACHMENT B

Items to be seized associated with the account checkmatestoes@outlook.com

(to be produced by Microsoft Corporation):

- A. All account information, including: full name, user identification number, birth date, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, services and apps used, and other personal identifiers; buddy lists, contacts, and address books;
- B. All communications and messages made or received by the user to include e-mails (read, sent, deleted, draft, and unopened) whether in a mailbox, user created folders, or other storage locations, attachments, documents, graphics, and any other uploaded, saved, or associated files, including all messages;
- C. All content in the user's Microsoft Corporation's online storage along with any settings on who has access to the files or folders and dates, times, and IP address of when the files were uploaded;
- D. All content in the user's Microsoft Corporation's storage and backup files;
- E. All activity logs and IP logs, including all records of the IP addresses that logged into the account;
- F. The length of service (including start date), the types of service utilized by the user, and the means and source of any payments associated with the service (including any credit card or bank account number);
- G. All privacy settings and other account settings;
- H. All records pertaining to communications between Microsoft Corporation's and any

person regarding the user or the user's Microsoft Corporation's account, including contacts with support services and records of actions taken;

- I. Preserved data for the accounts requested by Special Agent Adam Sucheski on November 27, 2017, Microsoft Reference # GCC-922860-V4F9M9.
- J. The data listed above in paragraphs A through I shall be produced by Microsoft Corporation regardless of where it may be stored.